

MESSAGE NO: 3078307

MESSAGE DATE: 03/19/2013

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE:

FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-570-970

EFFECTIVE DATE: 05/26/2011

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Antidumping duty scope determination on multilayered wood flooring from the People's Republic of China (A-570-970).

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 5 below.

1. Commerce received a scope ruling request from Alston, Inc. ("Alston"). Commerce issued a final scope determination on 03/12/2013 that the two-ply hybrid solid hardwood flooring which Alston imports is not within the scope of the antidumping duty order on multilayered wood flooring from the People's Republic of China (A-570-970). Alston's product is identified by the model number HS2PY and is imported under codes indicating color and size and species, such as HS2PY-C0315A or HS2PY-C0434S, but always preceded with model number HS2PY.
2. Commerce determined that Alston's two-ply hybrid solid hardwood flooring is outside the scope of the order because Alston's two-ply hybrid solid hardwood flooring is composed of one layer of wood veneer and a base layer of solid wood, whereas the scope language requires the merchandise to be composed of at least two layers, or plies, of wood veneer in combination with a core. Therefore, Alston's two-ply hybrid solid hardwood flooring is not within the scope of the antidumping duty order on multilayered wood flooring from the People's Republic of China.
3. For all entries of Alston's two-ply hybrid solid hardwood flooring that remain unliquidated on or after 05/26/2011, CBP shall terminate suspension and liquidate entries of Alston's two-ply hybrid solid hardwood flooring described above which were entered, or withdrawn from warehouse, for consumption.
4. Refund any cash deposits and release any bonds relating to Alston's two-ply hybrid solid hardwood flooring described above.
5. These instructions constitute notice of the lifting of suspension of liquidation of entries of Alston's two-ply hybrid solid hardwood flooring entered, or withdrawn from warehouse, for consumption on or after 05/26/2011.

6. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Unless instructed otherwise, for all other shipments of multilayered wood flooring from the People's Republic of China not covered by paragraph 2 above, you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O4:LA.)

9. There are no restrictions on the release of this information.

Michael B. Walsh

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party